

different use for the amino resin mentioned in the specification, but not used in the Examples.

The Examiner contends that Applicants argued that Nienhaus teaches a three-component system, whereas the components are mixed such that there are only two components. Applicants did argue that Nienhaus teaches a dual cure system in a three-component system, on page 11, first full paragraph. This relates to the lack of combinability of Nienhaus with Ohrbom which latter reference is directed to a thermally cured single-component system, for the reasons discussed at length on page 11, last paragraph, through page 13, second paragraph. Contrary to the Examiner's allegation, Applicants never argued that Ohrbom and Nienhaus were not analogous art. The Supreme Court has stated that "it can be important to identify a reason that would have prompted a person of ordinary skill in the relevant field to combine the elements in the way the claimed new invention does," *KSR Int'l. Co. v. Teleflex Inc.*, 127 S.Ct. 1727, 1741 (2007).

The Examiner states that Ohrbom is another polyurethane-type dual-cure coating system and is only relied upon to teach compounds having carbamate functionality. [Emphasis added.] However, The Supreme Court has recently reaffirmed the principle that "a patent composed of several elements is not proved obvious merely by demonstrating that each of its elements was, independently, known in the art". *KSR Int'l. Co. v. Teleflex Inc.*, 127 S.Ct. 1727, 1741 (2007).

The Examiner states that the features upon which Applicants rely on (i.e., a long pot life) are not recited in the rejected claims. Apparently, the Examiner is referring to Applicants comments on page 9, last paragraph. However, Applicants respectfully submit that there is no requirement that evidence of unexpected results, as demonstrated in Examples in the specification, must be incorporated into the claims in order to be properly considered. The Examiner is required to consider such evidence, not merely read the claims.

The Examiner, in regard to claim 9, states that polyurethane linkages are carbamate groups and, therefore, meet the claimed limitations. As noted by the

Examiner, claims are interpreted in light of the specification. On page 13, last paragraph, to page 14, first paragraph, Applicants explained that it is absolutely clear from the specification that linkages within a polymer that cannot react, as obviously intended by the claim language, do not meet the claim limitations.

Regarding claim 10, the Examiner states that allophanate groups are not necessary and, therefore, the reference (Nienhaus) meets the claim limitations. However, as stated by Applicants, on page 8, last paragraph, Nienhaus teaches neither a component comprising allophanate nor carbamate groups.

The Examiner states that Blum is relied on merely for weight percentages. However, as discussed on pages 14-15 of the Applicants' Amendment of August 11, 2008, the fact that the percentages in Blum refer to a different component than required by the claims means that the percentages are of very limited or no relevance. While the KSR decision may have eliminated any rigid requirement for application of the teaching-suggestion-motivation test (TSM test), it did not disturb the longstanding principle that "a prior art reference must be considered in its entirety, i.e., as a whole, including portions that would lead away from the claimed invention. *W.L. Gore & Associates, Inc. v. Garlock, Inc.*, 721 F.2d 1540, 220 USPQ 303 (Fed. Cir. 1983), *cert. denied*, 469 U.S. 851 (1984)." MPEP 2141.02.

Applicants respectfully submit that the Application and pending claims are patentable. A Notice of Allowance is respectfully requested. As always, the Examiner is encouraged to contact the Undersigned by telephone if direct conversation would be helpful.

Respectfully Submitted,

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